

22.06.2026
rc/ct.no.15
Item No.43

WPA No. 9429 of 2026
Namita Dutta
Versus
The State of West Bengal & Ors.

Mr. Pritam Chowdhury
Mr. Dilip Kumar Sadhu ..for the petitioner

Mr. Madhu Jana
Mrs. Puja Sonkar ...for the State

Mr. Sobhan Majumder
...for the respondent nos. 7&8

Affidavit of service filed by the petitioner is taken on record.

The Panchayat is not represented despite service.

The petitioner alleges that under the garb of raising construction under Bangla Awas Yojana Scheme, the private respondents are raising construction on the land recorded as 'Jal'. The said scheme may have been granted in respect of Dag No. 107 in Mouza – Godakpur. The construction is being raised in Dag No. 107 in Mouza- Agar which belongs to the petitioner. The petitioner submitted a representation in this regard before the concerned authority on March 27, 2026 and seeks consideration of the same.

Denying such allegation, learned counsel for the private respondents submits that the private respondents are raising construction under Bangla Awas Yojana Scheme and have not filled up any waterbody as alleged.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that the allegation raised by the petitioner and the stance taken by the private respondent ought to be verified by the concerned authority. Since the representation submitted by the petitioner in this regard before the concerned authority is pending, the Pradhan, Ranisarai 10 Gram Panchayat, being the 6th respondent herein, is directed to consider and dispose of the same within four weeks from the date of communication of this order upon granting reasonable opportunity of hearing to all concerned including the petitioner and the private respondents, in accordance with law.

The decision taken by the authority shall be communicated to the parties within a week thereof.

In the event the construction raised by the private respondents is found to be illegal/unauthorised, the concerned authority shall take necessary steps in accordance with law.

The interim order granted vide order passed on May 13, 2026 shall continue till disposal of the representation.

The writ petition is disposed of.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)